

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY RICHARD TURNER,  
Petitioner,  
v.  
SHERIFF THOMAS A. FERRARA,  
Respondent.

No. 2:25-cv-0933 DC CSK P

FINDINGS AND RECOMMENDATIONS

By order filed September 19, 2025, petitioner's first amended petition for writ of habeas corpus was dismissed, and thirty days' leave to file a second amended petition was granted. The thirty day period has now expired, and petitioner has not responded to the Court's order.

In recommending this action be dismissed for failure to prosecute, the Court has considered "(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives." Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (citation omitted). Because this case cannot move forward without petitioner's participation, the Court finds the factors weigh in favor of dismissal.

In accordance with the above, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

1           These findings and recommendations are submitted to the United States District Judge  
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
3 after being served with these findings and recommendations, petitioner may file written  
4 objections with the court. The document should be captioned “Objections to Magistrate Judge’s  
5 Findings and Recommendations.” Petitioner is advised that failure to file objections within the  
6 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951  
7 F.2d 1153 (9th Cir. 1991).

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9 Dated: November 5, 2025

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11 CHI SOO KIM  
12 UNITED STATES MAGISTRATE JUDGE

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